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7 *SOUTHWESTCO WIRELESS, INC.*

8
9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA
11

12 SOO YOUNG KIM,
13 Plaintiff,

14 v.

15 SOUTHWESTCO WIRELESS, INC., a
foreign corporation; DOES I through X;
16 and ROES I through X, inclusive,

17 Defendant.

18 SOUTHWESTCO WIRELESS, INC., a
foreign corporation; DOES I through X;
19 and ROES I through X, inclusive,

20 Third-Party Plaintiff.

21 v.

22 QUALITY SOLUTIONS, INC.

23 Third-Party Defendant.

CASE NO.:2:17-CV-00706-APG-NJK

**STIPULATION AND ORDER TO
CONTINUE DISCOVERY
(SECOND REQUEST)**

24 COMES NOW, Defendant SOUTHWESTCO WIRELESS, INC (hereinafter,
25 "Southwestco"), Third-Party Defendant QUALITY SOLUTIONS, INC. (hereinafter "Quality
26 Solutions") and Plaintiff Soo Young Kim ("Plaintiff"), and hereby submit their Stipulation
27 and Order Extending Discovery Deadlines. In support of this Stipulation, the Parties state
28

1 as follows:

2 **A. DISCOVERY COMPLETED TO DATE**

- 3 1. The Parties exchanged their Initial Disclosures Pursuant to FRCP. 26(a)(1);
- 4 2. The Defendant has procured the medical records of the Plaintiff;
- 5 3. The Defendant propounded written discovery on the Plaintiff which the
- 6 Plaintiff responded to;
- 7 4. The Defendant deposed the Plaintiff on June 7, 2017;
- 8 5. The Defendant disclosed its initial experts;
- 9 6. The Defendant deposed the Plaintiff's treating physicians;
- 10 7. The Plaintiff agreed to provide certain discovery and opposed other
- 11 discovery but failed to provide it which resulted in the Southwestco filing a Motion to
- 12 Compel.

13 **B. DISCOVERY REMAINING TO BE COMPLETED**

14 Pursuant to this court's order granting Southwestco's Motion to Compel, the

15 Plaintiff is required to provide certain discovery to the Defendants which include

16 authorizations for Southwestco to procure additional medical records from the Plaintiff's

17 additional treating physicians. However, the documents are not required to be produced

18 until after the current close of discovery which is March 28, 2018.

19 The stipulation is being requested for the limited purpose of allowing Southwestco

20 to complete discovery related to the additional documents and other evidence which was

21 ordered to be produced pursuant to the Court's order on Southwestco's Motion to

22 Compel.

23 Southwestco will need time to procure the medical records from Medicare, the

24 Nevada PMP and to review any documents related to the subsequent slip and fall and the

25 subsequent auto accident. Once the records are received, Southwestco will need to

26 provide the documents to its medical experts for review and preparation of supplemental

27 opinions.

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C. REASONS FOR REQUEST FOR EXTENSION OF DISCOVERY DEADLINES

The reason the extension is requested is that the Plaintiff’s counsel failed to provide the discovery in a timely fashion which resulted in Southwestco not being able to conduct the discovery in this case during the discovery period and which resulted in the filing of the Motion to Compel. The current deadline for disclosure of initial expert witnesses was January 26, 2018 and the close of discovery is March 28, 2018.

Therefore this request is not being made 21 days prior to the deadline. However, good cause exists for ordering the stipulation because the motion to compel materialized after Southwestco attempted to work with Plaintiff’s counsel during discovery and Plaintiff’s counsel actually agreed to provide some of the documents, but Plaintiff’s counsel ultimately failed to do that which resulted in Southwestco filing the Motion to Compel which was granted by this Court.

D. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY

1. Southwestco’s Initial Expert Disclosure deadline should be extended from January 26, 2018 to June 6, 2018 which is approximately 60 from the date the Plaintiff is to provide the authorizations (April 4, 2018) which will give Southwestco 30 days to procure the documents and allow Southwestco’s experts 30 days to review the documents and prepare supplements to the initial reports.
2. Discovery Cut-Off should be extended from March 28, 2018 to July 6, 2018 which is approximately 30 days from the Southwestco’s Initial Expert Disclosure deadline.
3. The Dispositive Motions deadline should be extended from April 27, 2018 to August 3, 2018 which is 30 days from the proposed Discovery Cut-Off.

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1 4. The proposed Joint Pretrial Order deadline should be extended from May 28,
2 2018 to August 31, 2018 which date shall be automatically stayed until 30
3 days after any Order is issued in the event any party files any dispositive
4 motion.

5 DATED this 28th day of March, 2018.

6 RICHARD HARRIS LAW FIRM

LEWIS BRISBOIS BISGAARD & SMITH
LLP

8 /s/ Ian Estrada

/s/ Blake A. Doerr

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27 ORDER

28 IT IS SO ORDERED

DATE: March 29, 2018


UNITED STATES MAGISTRATE JUDGE